

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CODE REVISION COMMISSION on
behalf of and for the benefit of THE
GENERAL ASSEMBLY OF
GEORGIA, and THE STATE OF
GEORGIA,

Plaintiff,

v.

PUBLIC.RESOURCE.ORG, INC.

Defendant.

CIVIL ACTION NO.

1:15-CV-02594-RWS

**PLAINTIFF’S STATEMENT OF ADDITIONAL UNDISPUTED
MATERIAL FACTS IN SUPPORT OF ITS MOTION FOR AN
AWARD OF ATTORNEYS’ FEES AND OTHER COSTS**

Pursuant to Local Rule 56.1(A), Plaintiff and Counterclaim-Defendant the Code Revision Commission, on behalf of and for the benefit of the General Assembly of Georgia, and the State of Georgia (“Commission”), and in support of Plaintiff’s Motion For An Award Of Attorneys’ Fees And Other Costs, states that there is no genuine issue to be tried as to the following additional material facts:

1. Public Resource posted on its <https://yeswescan.org> website and delivered to the Commission a Proclamation of Promulgation stating that its deliberate copying and distribution of the O.C.G.A. would be greatly expanded in 2014. Dkt. No. 17 ¶ 61.

2. Public Resource instituted a public funding campaign on the website www.indiegogo.com to support its continued copying and distribution of the O.C.G.A. and raised approximately \$3,000.00. Dkt. No. 17 ¶ 62.

3. Carl Malamud, the founder and president of Public.Resource.Org, testified before the U.S. House of Representatives, House Judiciary Committee, to advance an amendment to the U.S. Copyright Act making state and local official legal documents uncopyrightable for reasons of public policy. No such amendment has been adopted by Congress. Dkt. No. 17 ¶ 59.

4. Carl Malamud has tried to become the U.S. Public Printer but has not been nominated for the office of United States Public Printer. Dkt. No. 17 ¶ 60.

WHEREFORE, there being no genuine issue of material fact and being entitled to judgment as a matter of law on the issues addressed herein, Plaintiff requests that this Court grant its motion for an award of attorneys' fees and other costs, pursuant to § 505 of the Copyright Act.

Respectfully submitted, this 21st day of April, 2017.

/s/Anthony B. Askew

Anthony B. Askew (GA Bar: 025300)

Lisa C. Pavento (GA Bar: 246698)

Warren Thomas (GA Bar: 164714)

Meunier Carlin & Curfman LLC

999 Peachtree Street NE, Suite 1300

Atlanta, Georgia 30309

Phone: 404-645-7700

Fax: 404-645-7707

taskew@mcciplaw.com

lpavento@mcciplaw.com

wthomas@mcciplaw.com

*Counsel for the Plaintiff, Code Revision
Commission on behalf of and for the benefit
of the General Assembly of Georgia, and the
State of Georgia*

CERTIFICATE OF COMPLIANCE

I hereby certify that, pursuant to L.R. 5.1C and 7.1D of the Northern District of Georgia, the foregoing PLAINTIFF'S STATEMENT OF ADDITIONAL UNDISPUTED MATERIAL FACTS IN SUPPORT OF ITS MOTION FOR AN AWARD OF ATTORNEYS' FEES AND OTHER COSTS complies with the font and point selections approved by the Court in L.R. 5.1C. The foregoing pleading was prepared on a computer using 14-point Times New Roman font.

/s/Anthony B. Askew

Anthony B. Askew (G.A. Bar: 025300)
Meunier Carlin & Curfman LLC
999 Peachtree Street NE Suite 1300
Atlanta, Georgia 30309
Telephone: 404-645-7700
Email: taskew@mcciplaw.com

CERTIFICATE OF SERVICE

I certify that on Friday, April, 21, 2017, I electronically filed the foregoing PLAINTIFF'S STATEMENT OF ADDITIONAL UNDISPUTED MATERIAL FACTS IN SUPPORT OF ITS MOTION FOR AN AWARD OF ATTORNEYS' FEES AND OTHER COSTS with the Clerk of Court using the CM/ECF system, which constitutes service of the filed document on all counsel of record in this proceeding under LR 5.1(A)(3), N.D. Ga.

By: /s/Anthony B. Askew
Anthony B. Askew (GA Bar: 025300)